

THE CITY OF SAN DIEGO, CALIFORNIA
MINUTES FOR REGULAR COUNCIL MEETING
OF
TUESDAY, APRIL 30, 1991
AT 9:00 A.M.
IN THE COUNCIL CHAMBERS - 12TH FLOOR

CHRONOLOGY OF THE MEETING:

The meeting was called to order by Mayor O'Connor at 10:10 a.m. The meeting was recessed by Mayor O'Connor at 10:41 a.m. into Closed Session in the twelfth floor conference room, to discuss meet and confer items, and to reconvene the meeting at 2:00 p.m.

The meeting was reconvened by Mayor O'Connor at 2:05 p.m. with Council Members Hartley, McCarty and Filner not present. Deputy Mayor Filner recessed the meeting at 4:52 p.m. to convene the Joint Council Redevelopment Agency meeting. Deputy Mayor Filner reconvened the meeting at 6:06 p.m. with Council Member Henderson and Mayor O'Connor not present. Deputy Mayor Filner adjourned the regular meeting at 6:08 p.m. to meet in Closed Session in the twelfth floor conference room on meet and confer items.

ATTENDANCE DURING THE MEETING:

- (M) Mayor O'Connor-present
- (1) Council Member Wolfsheimer-present
- (2) Council Member Roberts-excused by R-277951
(Other City business)
- (3) Council Member Hartley-present
- (4) Council Member Pratt-present
- (5) Council Member Behr-present
- (6) Council Member Henderson-present
- (7) Council Member McCarty-present
- (8) Council Member Filner-present
- Clerk-Abdelnour (cc:mp;so)

FILE LOCATION: MINUTES

ITEM-300: ROLL CALL

Clerk Abdelnour called the roll:

- (M) Mayor O'Connor-present
- (1) Council Member Wolfsheimer-present
- (2) Council Member Roberts-not present
- (3) Council Member Hartley-present
- (4) Council Member Pratt-not present
- (5) Council Member Behr-present
- (6) Council Member Henderson-present
- (7) Council Member McCarty-present
- (8) Council Member Filner-present

ITEM-330:

Two actions relative to the Tierrasanta Facilities
Benefit Assessment:

(See City Manager Report CMR-91-134. Located east of
I-15 and north of Friars Road. District-7.)

Subitem-A: (R-91-1519) ADOPTED AS RESOLUTION R-277832

Designating an area of benefit in Tierrasanta;
confirming the description of the Public Facilities
Projects, the Community Financing Plan and Capital
Improvement Program with respect to the Public
Facilities Projects, the method for apportioning the
costs of the Public Facilities Projects among the
parcels within the area of benefit and the amount of
the Facilities Benefit Assessments charged to each
parcel, the basis and methodology for assessing and
levying discretionary automatic annual increases in
Facilities Benefit Assessments; and ordering the
proposed Public Facilities Project in the matter of the
Tierrasanta Facilities Benefit Assessment Area.

Subitem-B: (R-91-1520) ADOPTED AS RESOLUTION R-277833

Declaring the assessment fee schedule contained in the
Tierrasanta Public Facilities Financing Plan, to be an
appropriate and applicable development impact fee for
all properties within the Tierrasanta Community that
have either never been assessed under the Tierrasanta
Public Facilities Financing Plan, or have not otherwise
agreed to the payment of Facilities Benefit Assessment
fees.

FILE LOCATION: STRT-FB-10

COUNCIL ACTION: (Tape location: A082-091.)

Hearing began at 10:17 a.m. and halted at 10:18 a.m.

MOTION BY HENDERSON TO ADOPT ITEMS 330 AND 331. Second by Behr. Passed by the following vote: Wolfsheimer-yea, Roberts-not present, Hartley-yea, Pratt-yea, Behr-yea, Henderson-yea, cCarty-yea, Filner-yea, Mayor O'Connor-yea.

ITEM-331:

Two actions relative to the Sabre Springs Facilities Benefit Assessment:

(See City Manager Report CMR-91-133. Located east of I-15 and north and south of Poway Road. District-6.)

Subitem-A: (R-91-1506) ADOPTED AS RESOLUTION R-277834

Designating an area of benefit in Sabre Springs and the boundaries thereof; confirming the description of the Public Facilities Projects, the Community Financing Plan and Capital Improvement Program with respect to the Public Facilities Projects, the method for apportioning the costs of the Public Facilities Projects among the parcels within the area of benefit and the amount of the Facilities Benefit Assessments charged to each parcel, the basis and methodology for assessing and levying discretionary automatic annual increases in Facilities Benefit Assessments; and ordering the proposed Public Facilities Project in the matter of the Sabre Springs Facilities Benefit Assessment Area.

Subitem-B: (R-91-1507) ADOPTED AS RESOLUTION R-277835

Declaring the assessment fee schedule contained in the Sabre Springs Public Facilities Financing Plan to be an appropriate and applicable development impact fee for all properties within the Sabre Springs Community that have either never been assessed under the Sabre Springs Public Facilities Financing Plan, or have not otherwise agreed to the payment of Facilities Benefit Assessment fees.

FILE LOCATION: STRT FB-9

COUNCIL ACTION: (Tape location: A082-A091.)

Hearing began at 10:17 a.m. and halted at 10:18 a.m.

MOTION BY HENDERSON TO ADOPT ITEMS 330 AND 331. Second by Behr. Passed by the following vote: Wolfsheimer-yea, Roberts-not present, Hartley-yea, Pratt-yea, Behr-yea, Henderson-yea, McCarty-yea, Filner-yea, Mayor O'Connor-yea.

ITEM-332: (O-91-149) INTRODUCED, TO BE ADOPTED MAY 13,1991

Consideration of adoption of the application of the Hillside Review Overlay Zone (HROZ) to qualifying areas within the Southeast San Diego Community.

The application of the Hillside Review Overlay Zone (HROZ) would provide supplemental development regulations to underlying zones to assure that development occurs in such a manner as to protect the natural and topographic character and identity of these areas. The application of this overlay zone will not prohibit development within the HROZ areas in the single-family zones, nor will it reduce the permitted underlying density uses of the above property.

(Districts-4 and 8.)

Introduction of an Ordinance applying the Hillside Review Overlay Zoning for Areas within Southeast San Diego.

FILE LOCATION: LAND-Southeast San Diego Community

COUNCIL ACTION: (Tape location: A092-406.)

Hearing began at 10:18 a.m. and halted at 10:40 a.m.

Testimony in favor by Verna Quinn, Ronald Argall and Reynaldo Pisano.

Testimony in opposition by Cecil Herrington, Jesse Castro and Chris Montgomery.

MOTION BY PRATT TO INTRODUCE THE ORDINANCE APPLYING THE HILLSIDE REVIEW OVERLAY ZONING FOR AREAS WITHIN SOUTHEAST SAN DIEGO IN ACCORDANCE WITH THE PLANNING DEPARTMENT'S RECOMMENDATION AND REQUEST THE CITY MANAGER TO TAKE WHATEVER ACTION NECESSARY, AS SOON AS POSSIBLE, TO REMOVE DEBRIS

DISCARDED IN THE AREAS, ESPECIALLY IN AREA 9, AND TO TAKE STEPS TO ENSURE THAT DUMPING DOES NOT RE-OCCUR. Second by Hartley. Passed by the following vote: Wolfsheimer-yea, Roberts-not present, Hartley-yea, Pratt-yea, Behr-yea, Henderson-yea, McCarty-yea, Filner-yea, Mayor O'Connor-yea.

ITEM-333: (R-91-1987) ADOPTED AS RESOLUTION R-277839,
GRANTING APPEAL, GRANTING PROJECT

Appeal of James H. Barry and Ruth Dundon, from the decision of the Board of Zoning Appeals in granting partial approval of their request to maintain four, compact parking spaces for a four-unit, apartment building to (1) observe a 0'-0" street, side yard along Brighton Avenue, where 10'-0" is required; and (2) maintain 100 percent compact parking spaces, where maximum 60 percent compact spaces are permitted. The subject property is more particularly described as a portion of Lots 16, 17, Block 85, Ocean Beach Extension, Map-1080, located at 5110 Brighton Avenue, R-1750 zone, Coastal Zone, Proposition D, Coastal Height Limitation zone, Beach Impact Nonappealable Area 2.

(Case C-20692. District-2.)

Adoption of a Resolution granting or denying the appeal and granting or denying the permit, with appropriate findings to support Council action.

NOTE: On April 15, 1991, Council voted 9 to 0 to hear the appeal.

FILE LOCATION: ZONE - Zoning Appeals - Case C-20692

COUNCIL ACTION: (Tape location: B023-086.)

Hearing began at 2:08 p.m. and halted at 2:10 p.m.

Testimony in favor by J. H. Barry.

MOTION BY ROBERTS TO ADOPT RESOLUTION GRANTING THE APPEAL, GRANTING THE PROJECT, TO INCLUDE THE FINDINGS OF COMPATIBILITY WITH THE SURROUNDING DEVELOPMENT. Second by Pratt. Passed by the following vote: Wolfsheimer-yea, Roberts-yea, Hartley-not present, Pratt-yea, Behr-yea, Henderson-yea, McCarty-not present, Filner-yea, Mayor O'Connor-not present.

ITEM-334: CONTINUED TO MAY 7, 1991, 2:00 P.M.

Matters of amendments to the Barrio Logan/Harbor 101 Community Plan; the Local Coastal Program; the Barrio Logan Planned District Ordinance; and an extension of the Interim Emergency Ordinance (Subdistrict "E" of the Barrio Logan Planned District Ordinance) for a period of one year.

The Redevelopment Agency of the City of San Diego is proposing the adoption of a Redevelopment Plan for a portion of the Barrio Logan community generally located between I-5 and the Port District boundary and between Sixteenth and Evans Streets. The overall objective of the Redevelopment Plan is to revitalize the area in a comprehensive manner addressing socio-economic and physical development issues. Adoption of this Redevelopment Plan will necessitate amendments to the Barrio Logan/Harbor 101 Community Plan and the Local Coastal Program to insure consistency between policies. An amendment to the existing Barrio Logan Planned District Ordinance is also being proposed in order to incorporate a Redevelopment Subdistrict which implements the Redevelopment Plan. The Redevelopment Subdistrict will replace Interim Subdistrict "E" of the Barrio Logan Planned District Ordinance.

The proposed Redevelopment Plan, Community Plan and Planned District Ordinance amendments also constitute an amendment to the City of San Diego's Local Coastal Program (LCP). If adopted by the City the proposed LCP amendment must be submitted to the California Coastal Commission for review and certification. The LCP amendment would not become effective until after approval by the California Coastal Commission.

(District-8.)

Subitem-A: (R-91-1814)

Adoption of a Resolution certifying that the information contained in Environmental Impact Report EIR-90-0133 has been completed in compliance with the California Environmental Quality Act of 1970 and State guidelines, and that said report has been reviewed and considered by the Council and adopting appropriate findings of mitigation, feasibility or project alternatives and statement of overriding considerations

pursuant to California Public Resources Code Section
21081.

Subitem-B: (O-91-160)

Introduction of an Ordinance amending the planned
district.

Subitem-C: (R-91-1815)

Adoption of a Resolution amending the community plan.

Subitem-D: (O-91-146 Corr.)

Introduction and adoption of an Extension to the
Interim Emergency Ordinance for Subdistrict E of the
Barrio Logan Planned District Ordinance.

(Six votes required for Subitem D.)

NOTE: See the Redevelopment Agency Agenda of April 30,
1991 and the agenda for the Special Joint Meeting of
April 30, 1991 for companion items.

FILE LOCATION: --

COUNCIL ACTION: (Tape location: F035-635.)

Hearing began at 4:53 p.m. and halted at 5:37 p.m.

Testimony in favor by Richard Juarez and Luis E. Garcia.

Testimony in opposition by Jon Stockholm, Marie E. Whispell,
Pan Filio Sanchez, Richard L. Russell, Juliet Bringas,
Leonard D. Brinley, Jose A. Gonzales, Tom Robinson and Wendy
Wiles.

MOTION BY PRATT TO CLOSE THE PUBLIC HEARING FOR THE CITY
COUNCIL AND REDEVELOPMENT AGENCY SUBJECT TO BEING REOPENED
ON MAY 7, 1991 AT 2:00 P.M. FOR STAFF RESPONSE TO PUBLIC
COMMENTS. Second by Roberts. Passed by the following vote:
Wolfsheimer-yea, Roberts-yea, Hartley-not present,
Pratt-yea, Behr-yea, Henderson-not present, McCarty-yea,
Filner-yea, Mayor O'Connor-not present.

ITEM-335: CONTINUED TO MAY 21, 1991, 10:00 A.M.

Consideration of the impacts associated with the operation of rental businesses in residential areas and the occupancy of residential dwellings by large numbers of adults and consideration of amendments to the San Diego Municipal Code to:

- 1) regulate the operation of rental housing businesses;
- 2) modify the uses and regulations of residential zones;
- 3) modify and incorporate definitions to implement the regulations;
- 4) require a fee to cover the costs of administering and enforcing the new regulations; and
- 5) modify or repeal the standards or boundaries of the Single-Family Rental Overlay Zone.

The proposed amendments may include standards for the operation of rental housing businesses such as minimum floor space standards, parking standards, a minimum number of bathrooms, and other standards determined to be appropriate. The regulations may result in a limitation on the number of persons permitted to occupy a rental housing business.

LOCAL COASTAL PROGRAM: The proposed amendments also constitute amendments to the City of San Diego's Local Coastal Program (LCP). If approved by the City Council, the proposed LCP amendment must be submitted to the California Coastal Commission for review and certification. The LCP amendment would not become effective until after approval by the California Coastal Commission.

(City-wide.)

Subitem-A: (R-91-1788)

Adoption of a Resolution approving an amendment to the LCP.

Subitem-B: (O-91-157)

Introduction of an Ordinance amending the San Diego
Municipal Code relating to Single Family Rentals.

Subitem-C: (O-91-158)

Introduction of an Ordinance amending the San Diego
Municipal Code to increase business taxes relating to
residential rental units.

FILE LOCATION: --

COUNCIL ACTION: (Tape location: B087-D326.)

Hearing began at 2:11 p.m. and halted at 3:55 p.m.

Testimony in favor by Chris Durrand, Patricia Kent, D. J. Bennett, Barbara Greene, Merriam Lewis, Robert Begley, Brian Bennett. Testimony in opposition by David Fremont, Rich Engler, Herb King, Peter Coffman, R. Alan Smith, Clara Akers, Shaun P. Chamberlain, Nancy Marincovich, Eleanor B. Herzman, Richard L. Russell, Dr. Clyde Fixmer, Marie Maisano, Vincent Maisano, John A. Berol, Ms. Jason Feathers, Michael C. Smiley, Bruce Herstein, Tom LeDuc, Augustin Orozco.

Motion by Wolfsheimer to meet with the community groups that are affected and go back to T&LU with an ordinance that reflects the position of the Planning Commission, the Planning Department, and the Schultz proposal. No second. No vote taken.

Motion by McCarty to request staff to report back on the following issues by the May 21, 1991 Council meeting:

1. Direct staff to hold monthly meetings with Mr. Schultz to discuss the concept of a single housekeeping unit and related enforcement issues, and report back to T&LU in six months.

2. Direct staff to begin a one-year pilot program and to amend the existing S.F.R.O.Z. to incorporate language found in Draft Ordinance which is found in attachment 1 of Planning Report #90-146. The existing landscaping provisions found in the S.F.R.O.Z. should be maintained. Staff should report to the T&LU one year after the pilot program is initiated.

3. Direct staff to prepare a boundary adjustment to the S.F.R.O.Z. in the area to the North of Interstate 8; the zone should expand west to Fairmount Avenue and should expand north to Mission Gorge Road.

4. Direct staff to report to T&LU in six months with a specific enforcement plan which details how these amendments will be enforced. This report should include a detailed description of the procedures to:

- a. Report violations to the State Franchise Tax Board;
- b. Obtain site plans and occupancy lists from property owners;
- c. Identify cases which need City Attorney investigation and refer these cases in a timely manner;
- d. Issue administrative citations, civil penalties, and other reinspection fines;
- e. Report on Apartment Association recommendation. Work with City, CALL, CARLA and Apartment Association to develop Dispute Resolution Program in College area.

This report should also include a recommendation as to the feasibility of developing a citizens' complaint form, similar to the CAPP form used by the Police Department, in order to report occupancy and parking violations for criminal prosecution purposes.

Do not approve any increase in the base rate of the rental unit tax to pay for the enforcement of these amendments. New implementation costs should be identified and paid for from the General Fund. No second. No vote taken.

MOTION BY McCARTY TO CONTINUE TO MAY 21, 1991 AT 10:00 A.M. FOR PROPER NOTICING. THE EXPANSION AREA CAN BE NOTICED FOR A LATER MEETING. Second by Wolfsheimer. Passed by the following vote: Wolfsheimer-yea, Roberts-yea, Hartley-not present, Pratt-yea, Behr-yea, Henderson-yea, McCarty-yea, Filner-not present, Mayor O'Connor-yea.

ITEM-336:

Matters of the Second Phase of the San Ysidro Implementation Program as follows:

1. Community-wide residential rezonings on the properties generally bounded by State Highway 905 to the north, the Tijuana River levee to the west, the

international border with Mexico to the south, and Otay Mesa Road to the east to new residential zones which are consistent with the land use designations in the adopted San Ysidro Community Plan.

2. Amend the San Ysidro Community Plan to require a discretionary permit in conjunction with a CSR-3 rezone application on the properties on the south side of East Beyer Road from Center Street to Bolton Hall Road and add design requirements which a proposed development must meet; or

3. Rezone the properties along the south side of East Beyer Boulevard from Center Street to Bolton Hall Road to CSR-3 and amend the San Ysidro Community Plan to apply the Community Plan Implementation Overlay Zone to the properties and add design requirements which a proposed development must meet.

4. Amendments to the San Ysidro Implementing Ordinance to delete references to residential regulations, including Section 103.2203 D.1.e. and a portion of Sections 103.2203 D.2 and 103.2204 A.

5. Recertify Environmental Impact Report EIR-89-1115. Descriptions of the existing and proposed zones and a map showing the locations of the proposed zone changes are on file with the Planning Department. These rezonings implement a portion of the San Ysidro Community Plan, adopted September 18, 1990. The San Ysidro Community Plan area comprises approximately 1800 acres. It is bounded on the north by the Otay Mesa-Nestor Community Plan Area, on the south by the international border, on the west by the Tijuana River Valley Community Plan area, and on the east by the Otay Mesa Community Plan area.

The proposed rezones also constitute an amendment to the City of San Diego's Local Coastal Program Implementing Ordinances. If approved by the City Council, the proposed amendment to the Local Coastal Program Implementing Ordinances must be submitted to the California Coastal Commission for review and final approval. The proposed amendment to the Local Coastal Program Implementing Ordinances would not become effective until after final approval by the California Coastal Commission.

(District-8.)

Subitem-A: (R-91-1601) ADOPTED AS RESOLUTION R-277840

Adoption of a Resolution recertifying that the information contained in Environmental Impact Report EIR-89-1115 has been completed in compliance with the California Environmental Quality Act of 1970 and State

guidelines, and that said report has been reviewed and considered by the Council.

Subitem-B: (O-91-151) INTRODUCED AS AMENDED, TO BE
ADOPTED MAY 13, 1991

Introduction of an Ordinance rezoning properties in the San Ysidro area.

Subitem-C: (O-91-150) INTRODUCED, TO BE ADOPTED MAY
13, 1991

Introduction of an Ordinance amending Sections 103.2202, 103.2203, 103.2204 and 103.2205 of the San Diego Municipal Code relating to the San Ysidro Implementing Ordinance.

Subitem-D: (R-91-1600) ADOPTED AS RESOLUTION R-277841

Adoption of a Resolution amending the community plan.

NOTE: EIR-89-1115 was certified and the Findings and Statement of Overriding Considerations adopted by the City Council on September 18, 1990 by Resolution R-276562.

FILE LOCATION: LAND - San Ysidro Community Plan

COUNCIL ACTION: (Tape location: D327-E600.)

Hearing began at 3:56 p.m. and halted at 4:51 p.m.

Testimony in favor by Helen Trevey, Andrea Palacios Skorepa and Michael R. Freedman.

Testimony in opposition by David E. Castro, Ignacio Ponce De Leon, Henry Bookspan, Pete Joseph, Ben Moshe, J. Stacy Sullivan, Gaelic Saez, Daniel R. Salas, Joseph Adame and Alberto Garcia.

Mayor O'Connor left at 4:00.

MOTION BY FILNER TO APPROVE THE FOLLOWING:

1. ADOPT RESOLUTION R-277840 TO RECERTIFY THE EIR 89-1115.
2. ADOPT RESIDENTIAL REZONINGS OF PROPERTY AS RECOMMENDED WITH THE FOLLOWING EXCEPTIONS:
 - A. CAMINO ESPERANZA SITE - THE PLANNING DEPARTMENT SHALL NOTICE A SEPARATE HEARING TO AMEND THE COMMUNITY PLAN TO REDESIGNATE THIS PROPERTY FOR LOW DENSITY RESIDENTIAL USE AND REZONE FROM A-1-10

- TO R-1-5000 RATHER THAN THE R-3000 INITIALLY PROPOSED.
- B. DO NOT REZONE THE VISTA LANE SITE AT THIS TIME (LOT A, 224 VISTA LANE). THIS HAS BEEN PURCHASED BY THE HOUSING COMMISSION FOR A NON-PROFIT ORGANIZATION TO DEVELOP A COMPLEX THAT IS SPECIFICALLY DESIGNED FOR THE DISABLED.
 - C. THE NORTH SIDE OF SAN YSIDRO BLVD. BETWEEN SMYTHE AVENUE AND COTTONWOOD - ADOPT PLANNING DEPARTMENT ALTERNATIVE #3 WHICH READS THAT THE PLANNING DEPARTMENT SHALL NOTICE A SEPARATE HEARING TO AMEND THE COMMUNITY PLAN TO REDESIGNATE THESE PROPERTIES TO COMMERCIAL USE AND TO REZONE THEM FROM CA-RR TO CSR-2. THAT ACTION WAS SUPPORTED BY A 3/2 VOTE AT THE PLANNING COMMISSION AND WILL INSURE THAT THE LAND USES ON THESE PROPERTIES ARE SIMILAR TO THAT OF OTHER PROPERTIES ON THE NORTH SIDE OF SAN YSIDRO BLVD. BETWEEN COTTONWOOD AND VIA DE SAN YSIDRO.
- 3. ADOPT PLANNING COMMISSION RECOMMENDATIONS ON THE PROPERTIES ON EAST BEYER BLVD. (PLANNING DEPARTMENT RECOMMENDATION #2) REZONING THE PROPERTIES TO CSR-3, APPLY THE OVERLAY ZONE (CPIOZ) AND AMEND THE PLAN TO INCLUDE THE CPIOZ LANGUAGE AND CONDITIONS.
 - 4. ADOPT ALL THE AMENDMENTS TO THE SAN YSIDRO IMPLEMENTING ORDINANCE TO DELETE REFERENCE TO RESIDENTIAL REGULATIONS AS RECOMMENDED BY THE PLANNING DEPARTMENT. Second by McCarty. Passed by the following vote: Wolfsheimer-yea, Roberts-yea, Hartley-yea, Pratt-yea, Behr-yea, Henderson-not present, McCarty-yea, Filner-yea, Mayor O'Connor-not present.

ITEM-337: CONTINUED TO MAY 6, 1991

(Trailed as Unfinished Business from the meeting of Tuesday, March 19, 1991, Item 336; continued from the meetings of March 25, 1991, Item S401, April 9, 1991, Item 334, and April 16, 1991, Item S500; last continued at Councilmember Wolfsheimer's request, to resolve additional issues.)

Request to rezone approximately 1.28-acres from Zone A-1-10 to Zone R-1-5000/SL (Small Lot Overlay Zone) and for a 12-lot subdivision (Russet Leaf Lane West) at a site located on the west side of Russet Leaf Lane between Entreken Way and Calderon Road, in the Penasquitos East Community Plan area. The subject

property is further described as Parcel 6 of Parcel Map
PM-14576.

(Case and TM-90-0443. District-1.)

Subitem-A: (R-91-1190)

Adoption of a Resolution certifying that the
information contained in Environmental Negative
Declaration END-90-0443 has been completed in
compliance with the California Environmental Quality
Act of 1970 and State guidelines, and that said
declaration has been reviewed and considered by the
Council.

Subitem-B: (O-91-119)

Introduction of an Ordinance for R1-5000/SL Zoning.

Subitem-C: (R-91-)

Adoption of a Resolution granting or denying the map,
with appropriate findings to support Council action.

FILE LOCATION: --

COUNCIL ACTION: (Tape location: B331-335; E600-616.)

MOTION BY WOLFSHEIMER TO CONTINUE TO MAY 6, 1991 TO ALLOW
THE CITY MANAGER AN OPPORTUNITY TO COMPLETE NECESSARY
PAPERWORK. Second by Pratt. Passed by the following vote:
Wolfsheimer-yea, Roberts-yea, Hartley-yea, Pratt-yea,
Behr-not present, Henderson-not present, McCarty-yea,
Filner-yea, Mayor O'Connor-not present.

ITEM-338: (R-91-1702) ADOPTED AS RESOLUTION R-277842

Determining that the use of funds from the Horton Plaza
Low and Moderate Income Housing Fund to pay part of the
cost of rehabilitating the housing under a proposed
Housing Rehabilitation Agreement between the
Redevelopment Agency of the City of San Diego and the
Catholic Community Services of the Diocese of San Diego
will be of benefit to the Horton Plaza Redevelopment
Project.

(See memorandum from CCDC Executive Vice President
dated 4/2/91. Centre City Community Area.
District-8.)

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: F650-655.)

MOTION BY PRATT TO ADOPT. Second by Roberts. Passed by the following vote: Wolfsheimer-yea, Roberts-yea, Hartley-not present, Pratt-yea, Behr-yea, Henderson-not present, McCarty-yea, Filner-yea, Mayor O'Connor-not present.

ITEM-S410:

(Continued from the meeting of April 23, 1991, Item 201, at the City Manager's request, to be considered with a companion item.)

Two actions relative to Community Facilities District No. 1 - Miramar Ranch North:
(Miramar Ranch North Community Area. District-6.)

Subitem-A: (R-91-1793) ADOPTED AS RESOLUTION R-277836

Authorizing the issuance of bonds, approving forms of Bond Indenture, Bond Purchase Contract and Preliminary Official Statement for Community Facilities District No. 1 - Miramar Ranch North.

Subitem-B: (R-91-1846) ADOPTED AS RESOLUTION R-277837

Approving the first amendment to the acquisition and funding agreement.

CITY MANAGER SUPPORTING INFORMATION: On September 18, 1990, the City Council approved a settlement agreement between the City and McMillin-BCED regarding development in the Miramar Ranch North Community. One provision of this agreement was the formation of a Mello-Roos Community Facilities District to issue bonds for the purpose of financing major infrastructure needs in that area. Actions were taken on January 8, 1991 to form the District, authorize the levy of special taxes, conduct a vote of qualified voters in the District and declare the necessity to issue bonds. The City Council authorized Paine Webber and Bancroft, Garcia and Lavell to underwrite the bonds. The financing documents required to issue the bonds are:

1. The Bond Indenture, which establishes the terms and conditions for the issuance of bonds.
2. The Bond Purchase Contract among the underwriters and the District.

3. The Preliminary Official Statement. Approval of the Bond Indenture and Preliminary Official Statement and authorization to execute the Bond Purchase Contract are required so that the District can issue bonds.

NOTE: See Items S408 and S409 for companion items.

FILE LOCATION: STRT-CF-1

COUNCIL ACTION: (Tape location: A010-081.)

MOTION BY McCARTY TO ADOPT THE RESOLUTIONS AND TO APPROVE BANK OF AMERICA AS TRUSTEE. Second by Behr. Passed by the following vote: Wolfsheimer-nay, Roberts-not present, Hartley-yea, Pratt-yea, Behr-yea, Henderson-yea, McCarty-yea, Filner-yea, Mayor O'Connor-ineligible.

ITEM-S500: (R-91-1810) ADOPTED AS RESOLUTION R-277843

Making a finding of benefit to the Horton Plaza and Columbia Redevelopment Projects for the use of Low and Moderate Income Housing Funds to pay part of the cost of acquiring the Pacifica Villas Apartment Complex, under a proposed Acquisition Loan Agreement with Occupational Training Services, Inc.

(See Report from CCDC Executive Vice President dated 4/19/91. Centre City Community Area. District-8.)

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: F650-655.)

MOTION BY PRATT TO ADOPT. Second by Roberts. Passed by the following vote: Wolfsheimer-yea, Roberts-yea, Hartley-not present, Pratt-yea, Behr-yea, Henderson-not present, McCarty-yea, Filner-yea, Mayor O'Connor-not present.

NON-DOCKET ITEMS:

None.

COUNCIL COMMENT:

ITEM-CC-1:

Direction by Council Member McCarty for Housing Commission to work with the City Manager on a possible trade of lots for a housing project at Mission Gorge Road and Golfcrest for a water pump station.

COUNCIL ACTION: (Tape location: G100.)

PUBLIC COMMENT:

None.

ADJOURNMENT:

The meeting was adjourned by Deputy Mayor Filner at 6:08 p.m.

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: G110).